

1 AN ACT in relation to sanitary districts.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Sanitary District Act of 1917 is amended
5 by changing Section 27 as follows:

6 (70 ILCS 2405/27) (from Ch. 42, par. 317i)

7 Sec. 27. (a) Any sanitary district created under this Act
8 which does not have any outstanding and unpaid revenue bonds
9 issued under the provisions of this Act and which has a
10 population not in excess of 5000 persons and where that
11 sanitary district has entered into an intergovernmental
12 agreement with a municipality for the mutual expenditure of
13 funds in joint work and for the transfer of assets under the
14 Municipality and Sanitary District Mutual Expenditure Act may
15 be dissolved as follows:

16 The board of trustees of a sanitary district may petition
17 the circuit court to dissolve the district. Such petition
18 must show: (1) the reasons for dissolving the district; (2)
19 that there are no debts of the district outstanding or that
20 there are sufficient funds on hand or available to satisfy
21 such debts; (3) that no contract or federal or state permit
22 or grant will be impaired by the dissolution of the sanitary
23 district; (4) that all assets and responsibilities of the
24 sanitary district have been properly assigned to the
25 successor municipality; and (5) that the sanitary district
26 will pay any court costs incurred in connection with the
27 petition.

28 Upon adequate notice, including appropriate notice to the
29 Illinois Environmental Protection Agency, the circuit court
30 shall hold a hearing to determine whether there is good
31 reason for dissolving the district and whether the

1 allegations of the petition are true. If the court finds for
2 the petitioners it shall order the district dissolved but if
3 the court finds against the petitioners the petition shall be
4 dismissed. In either event, the costs shall be taxed against
5 the sanitary district. The order shall be final. Separate
6 or joint appeals may be taken by any of the parties affected
7 thereby or by the trustees of the sanitary district, as in
8 other civil cases.

9 (b) The Village of Rockton has the power to dissolve and
10 acquire all of the assets and responsibilities of a sanitary
11 district (i) that is located wholly within Winnebago County
12 and (ii) that has 90% of its service area within the
13 corporate limits of the Village of Rockton. The corporate
14 authorities of the Village of Rockton, after providing at
15 least 60 days' prior written notice to the sanitary district,
16 may vote to dissolve and acquire the existing sanitary
17 district formed pursuant to this Act upon showing: (1) the
18 reasons for dissolving the district; (2) that there are no
19 outstanding debts of the district or that the Village of
20 Rockton has sufficient funds on hand or available to satisfy
21 any such debts; (3) that no federal or state permit or grant
22 will be impaired by dissolution of the existing sanitary
23 district; (4) that the Village of Rockton agrees to assume
24 all assets and responsibilities of the sanitary district; and
25 (5) that adequate notice has been given to the Illinois
26 Environmental Protection Agency regarding the dissolution of
27 the sanitary district. Any costs associated with the
28 dissolution of the existing sanitary district may be taxed
29 against the sanitary district once the Village of Rockton has
30 acquired all the assets and responsibilities of the district.
31 The sanitary district may file an appeal with the circuit
32 court, which shall hold a hearing, to determine whether the
33 requirements of this section has been met. If the court
34 finds that the requirements of this section have been met, it

1 shall uphold the action of the Village of Rockton to dissolve
2 the district. If the court finds that said requirements have
3 not been met, it shall order that the sanitary district not
4 be dissolved.

5 (Source: P.A. 88-572, eff. 8-11-94.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.